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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/582,480 | 04/12/2007 | Dirk Baader | 095309.57813US | 4921 |
| 23911 | 7590 | 07/11/2008 | EXAMINER | |
| CROWELL & MORING LLP INTELLECTUAL PROPERTY GROUP P.O. BOX 14300 WASHINGTON, DC 20044-4300 | | | BUGG, GEORGE A | |
| | | ART UNIT | PAPER NUMBER | |
| | | 2612 | | |
| | | MAIL DATE | | DELIVERY MODE |
| | | 07/11/2008 | | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/582,480 | BAADER ET AL. | |
| | Examiner | Art Unit | |
| | GEORGE A. BUGG | 2612 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 04 April 2008.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 15-28 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 15-28 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 04 April 2008 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1.) Certified copies of the priority documents have been received.
 2.) Certified copies of the priority documents have been received in Application No. _____.
 3.) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____. | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

Drawings

1. The drawings received on 04/04/2008 are accepted by the Examiner.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application No. 2004/0044450 A1 to Taguchi et al., and further in view of US Patent No. 5,825,286 to Coulthard.

4. With regard to independent claims 15 and 19, the title and the Abstract disclose a monitoring system for tires on a motor vehicle. Sections 69-71, and Figure 2 of Taguchi further teach transmitters 12-16, which are associated with each tire of the vehicle, and each having a memory unit 24, which stores ID data inherent to each transmitter, i.e. tire-specific data. This citation further teaches a receiver 30, which also has memory in

the form of ROM, RAM, and EEPROM. Sections 71 and 74 specifically teach that information from the transmitter is received by the receiver and stored in the memory therein. Section 75 discloses the process of transmission and reception, and further shows how the stored information is used to determine whether or not a warning condition exists, i.e. evaluated and made available for further processing functionality of the vehicle. While Taguchi may not specifically disclose that tire-specific data is stored in the form of an electronic data sheet, the Coulthard reference, which is also a vehicular tire monitoring system, states in column 20, line 52 through column 22, line 17, that a history of data can be stored and accessed for maintenance purposes. Therefore it would have been obvious to one of ordinary skill in the art to combine the teachings of Taguchi and Coulthard, since both are drawn to inventions in related fields of endeavor, and further for the purpose of creating a tire monitoring system which allows for greater versatility with respect to determining tire failure, as detailed in column 22 of Coulthard. As for the newly amended limitations, the Examiner would like to again point to the passage(s) of the cited reference(s) which disclose tire transmitter ID's. This information is can most certainly, in its broadest reasonable interpretation, be considered tire specific data which includes tire characteristic data, in that it identifies the specific tire on the vehicle, i.e. right rear, front left, spare, etc..., and is invariable to the operation of the vehicle. In addition, Taguchi also teaches operational data which is variable with the operation of the tire. Figure 2 clearly teaches a pressure sensor and a temperature sensor in each of the tire transmitters. This collected data will vary

with operation of the tire. Furthermore, Figures 2-4 and Sections 71-73 of Taguchi teach further processing functionality by way of interface 34, which utilizes both tire specific information i.e. temperature, pressure, ID, and non tire specific data, i.e. vehicle speed.

5. As for claims 16 and 23, as stated above, Coulthard discloses additional functionality in column 20, line 52 through column 22, line 17, with respect to manufacturers and maintenance personnel.
6. With regard to claims 17 and 20-22, Section 75 of Taguchi discloses displaying a warning as a result of an undesirable condition, such as a punctured tire, to the vehicle operator. A punctured tire would most certainly alter the driving stability of the vehicle, and displaying such would alert the driver to take action to maintain control of the vehicle, such as slowing down, or stopping. Such a warning is displayed as a result of further processing performed by the control unit 33.
7. With regard to claim 18, both references teach measuring tire parameters throughout.
8. As for claims 24 and 25, Figure 2 of Taguchi shows a pressure sensor 21, and a temperature sensor 22, each connected to the memory and transmitter of each tire.
9. With regard to claim 26, it has been shown above that both the memory and transmitter of Figure 2 possess tire data. While neither reference specifically states that the memory unit 24 is rewriteable, Taguchi does show the use of EEPROM on the receiver for the purpose of updating valid tire identifiers. Therefore it would have been obvious to one of ordinary skill in the art to make memory unit 24 rewriteable for the

purpose of updating tire ID's in the event of rotating, and/or changing tires on the vehicle. Moreover, Taguchi does in fact teach the use of rewriteable memory, thereby disclosing that it is well known in the art to use such memory to compensate for system changes.

10. As for claim 27, as shown in Figure 2 each transmitter has its own memory unit 24, thereby teaching one-to-one correlation for each wheel or tire.

11. With regard to claim 28, Taguchi teaches throughout the use of tire identifiers.

Response to Arguments

12. Applicant's arguments filed 04/04/2008 have been fully considered but they are not persuasive. See response to added limitations in **bold underlined italics** above. It should further be noted that although claims are interpreted in light of the specification, specification is not read into the claims. Much of what Applicant's specification discloses in paragraphs 34-36 is not recited in the claims. Tire transmitter ID's can be interpreted as invariable tire specific data, which includes tire characteristics. In addition the Examiner has pointed out above wherein Taguchi teaches further processing functionality utilizing both tire specific data and non tire specific data.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George A. Bugg whose telephone number is (571) 272-2998. The examiner can normally be reached on Monday-Thursday 9:00-6:30, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

George A Bugg
Primary Examiner
Art Unit 2612

July 7, 2008

/George A Bugg/